JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

L. (a) PLAINTIFFS Philip N. Burgess, Jr., Michelle Burgess, Alexandria Burgess, M.B. and O.B., being minor children of Plaintiffs Philip and Michelle Burgand MicroBilt Corporation (b) County of Residence of First Listed Plaintiff Mercer				rgess Cahoon Kelly, Kelly Guzzo, PLC, Jacob M. Polakoff and Berger Montague, PC						
(D) County of Residence of First Listed Plaintiff Mercer (EXCEPT IN U.S. PLAINTIFF CASES)				County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)						
· · · · · · · · · · · · · · · · · · ·				NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.						
(c) Attorneys (Firm Name, Gerald Krovatin, Esq. Krovatin Nau, LLC, 60 F 973-424-9777			2	Attorneys (If Known,)					
	ICTION (D) (VVII)		III. CI	TIZENCIUS OF T	D. V. V. C. V.					
II. BASIS OF JURISDICTION (Place an "X" in One Box Only)			III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant)							
☐ 1 U.S. Government Plaintiff	☐ 3 Federal Question (U.S. Government Not a Party)			P	PTF DEF X 1 □ 1	Incorporated or Proof Business In	rincipal Place	PTF	DEF	
☐ 2 U.S. Government Defendant	✓ 4 Diversity (Indicate Citizenship of Parties in Item III)		Citizen of Another State						D 5	
				n or Subject of a eign Country	3 0 3	3 □ 3 Foreign Nation □ 6 □ 6				
IV. NATURE OF SUIT (Place an "X" in One Box Only)				Click here for: Nature of Suit Code Descriptions.						
CONTRACT 110 Insurance	PERSONAL INJURY	DRTS		RFEITURE/PENALTY		KRUPTCY		STATUT	ES	
☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument	☐ 310 Airplane ☐ 315 Airplane Product Liability	PERSONAL INJUR 365 Personal Injury - Product Liability 367 Health Care/	Y ☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other		☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157		☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment			
☐ 150 Recovery of Overpayment & Enforcement of Judgment	☐ 320 Assault, Libel & Slander	Pharmaceutical				RTY RIGHTS	🛮 🗗 410 Antitrus	it		
☐ 151 Medicare Act	☐ 330 Federal Employers'	Personal Injury Product Liability			 □ 820 Copy □ 830 Paten 		☐ 430 Banks a☐ 450 Comme		g	
☐ 152 Recovery of Defaulted Student Loans	Liability 340 Marine	☐ 368 Asbestos Personal Injury Product				t - Abbreviated Drug Application	☐ 460 Deporta	tion		
(Excludes Veterans) ☐ 153 Recovery of Overpayment	☐ 345 Marine Product	Liability		7. 45 to 1844 and a second or	☐ 840 Trade	mark	☐ 470 Rackete Corrupt	Organizati		
of Veteran's Benefits	Liability 350 Motor Vehicle	PERSONAL PROPER 370 Other Fraud		LABOR Fair Labor Standards	SOCIAL 861 HIA (SECURITY 1395ff)	☐ 480 Consum ☐ 490 Cable/Sa			
☐ 160 Stockholders' Suits ☐ 190 Other Contract	☐ 355 Motor Vehicle Product Liability	☐ 371 Truth in Lending ☐ 380 Other Personal	1	Act	☐ 862 Black	Lung (923)	☐ 850 Securition	es/Commod	dities/	
195 Contract Product Liability	360 Other Personal	Property Damage		Labor/Management Relations	☐ 864 SSID		Exchange By Other St		tions	
☐ 196 Franchise	Injury ☐ 362 Personal Injury -	☐ 385 Property Damage Product Liability	740	Railway Labor Act Family and Medical	□ 865 RSI (4	405(g))	☐ 891 Agricult ☐ 893 Environr	ural Acts		
REAL PROPERTY	Medical Malpractice	•		Leave Act			895 Freedom			
☐ 210 Land Condemnation	CIVIL RIGHTS ☐ 440 Other Civil Rights	PRISONER PETITION Habeas Corpus:		Other Labor Litigation Employee Retirement		L TAX SUITS (U.S. Plaintiff	Act ☐ 896 Arbitrati	on		
220 Foreclosure	☐ 441 Voting	☐ 463 Alien Detainee		Income Security Act	or De	fendant)	☐ 899 Adminis	trative Pro		
☐ 230 Rent Lease & Ejectment☐ 240 Torts to Land	☐ 442 Employment ☐ 443 Housing/	☐ 510 Motions to Vacate Sentence			☐ 871 IRS—	Third Party SC 7609	Act/Revi	iew or App	eal of	
245 Tort Product Liability290 All Other Real Property	Accommodations	☐ 530 General			1 2000	JC 7009	☐ 950 Constitu		f	
270 All Other Real Property	☐ 445 Amer. w/Disabilities - ☐ 535 Death Penalty Employment Other:		IMMIGRATION ☐ 462 Naturalization Application		-			State Statutes		
	☐ 446 Amer. w/Disabilities -	☐ 540 Mandamus & Other	r 🗇 465	Other Immigration						
	☐ 448 Education	☐ 550 Civil Rights ☐ 555 Prison Condition		Actions						
		☐ 560 Civil Detainee -	l							
		Conditions of Confinement		:						
V. ORIGIN (Place an "X" in	One Box Only)			***************************************	1		L			
		Remanded from Appellate Court	4 Reinst Reope	, i runoto	r District	☐ 6 Multidistri Litigation Transfer	-	Multidist Litigation Direct File	1 -	
VI. CAUSE OF ACTIO	N Diversity	ute under which you are	filing (Do					2110011111		
vii enesi or nerro	Brief description of cau	ise:	nd iniun	ative relief for above						
VII. REQUESTED IN	CHECK IF THIS I	s and declaratory a		MAND \$		ss, invasion of IECK YES only i			4.	
COMPLAINT:	UNDER RULE 23		DE.			RY DEMAND:	Yes	Compiaini	11	
VIII. RELATED CASE							7 100			
DATE / /	(See instructions):	JUDGE See Attache			DOCKET	NUMBER				
FOR OFFICE USE ONLY		SIGNATURE OF ATTO	NEXOF	RECORD.						
	DUNT	APPLYING IFP		JUDGE		MAG. JUDO	GE			

Philip N. Burgess, Jr., et als. v. Leonard A. Bennett, et als.

Schedule A

Related Actions:

- (1) Lula Williams, et als. v. Philip Burgess, Docket No. 3:20-cv-5781-FLW-DEA;
- (2) Philip Burgess v. Renee Galloway, et als., Docket No. 3:20-cv-06744-FLW-DEA.